

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

|   |  |   |                             |
|---|--|---|-----------------------------|
| <b>(1) DEPARTMENT</b><br>Social Services  | <b>(2) MEETING DATE</b><br>12/13/2011                      | <b>(3) CONTACT/PHONE</b><br>Lee Collins<br>781-1911   |                             |
| <b>(4) SUBJECT</b><br>Request to approve an amendment to extend the existing Memorandum of Understanding between the In-Home Supportive Services (IHSS) Public Authority Governing Board and the United Domestic Workers of America, AFSCME Local 390, AFL-CIO.   |  |   |                             |
| <b>(5) RECOMMENDED ACTION</b><br>It is requested that the In-Home Supportive Services (IHSS) Public Authority Governing Board approve the attached resolution approving the negotiated extension of the Memorandum of Understanding for the United Domestic Workers of America (UDW) through June 30, 2013. |  |   |                             |
| <b>(6) FUNDING SOURCE(S)</b><br>Federal/State/County  | <b>(7) CURRENT YEAR FINANCIAL IMPACT</b><br>\$3,685,463.00 | <b>(8) ANNUAL FINANCIAL IMPACT</b><br>\$3,685,463.00  | <b>(9) BUDGETED?</b><br>Yes |
| <b>(10) AGENDA PLACEMENT</b><br><input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation (Time Est. _____) <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business  |  |   |                             |
| <b>(11) EXECUTED DOCUMENTS</b><br><input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts<br><input type="checkbox"/> Ordinances <input checked="" type="checkbox"/> MOU Amendment   |  | <b>(12) BUDGET ADJUSTMENT REQUIRED?</b><br>BAR ID Number: N/A<br><input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A |                             |
| <b>(13) OUTLINE AGREEMENT REQUISITION NUMBER (OAR)</b><br>N/A   |  | <b>(14) W-9</b><br><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes  |                             |
| <b>(15) LOCATION MAP</b><br>N/A   | <b>(16) BUSINESS IMPACT STATEMENT?</b><br>No               | <b>(17) AGENDA ITEM HISTORY</b><br><input type="checkbox"/> N/A    Date <u>February 2, 2010</u>   |                             |
| <b>(18) ADMINISTRATIVE OFFICE REVIEW</b><br><br><br>  |  |   |                             |
| <b>(19) SUPERVISOR DISTRICT(S)</b><br>All Districts -   |  |   |                             |

# County of San Luis Obispo



TO: Board of Supervisors

FROM: Social Services / Lee Collins  
781-1911

DATE: 12/13/2011

SUBJECT: Request to approve an amendment to extend the existing Memorandum of Understanding between the In-Home Supportive Services (IHSS) Public Authority Governing Board and the United Domestic Workers of America, AFSCME Local 390, AFL-CIO.

## **RECOMMENDATION**

It is requested that the In-Home Supportive Services (IHSS) Public Authority Governing Board approve the attached resolution approving the negotiated extension of the Memorandum of Understanding for the United Domestic Workers of America (UDW) through June 30, 2013.

## **DISCUSSION**

The In-Home Supportive Services (IHSS) program serves disabled individuals who would be at risk of institutionalization in the absence of services. Individuals served by the program include not only seniors but also many young children whose disabilities require attendant care. The role of the County is divided between the County's Department of Social Services (DSS) and the Public Authority (PA).

Social Workers within DSS receive applications for IHSS and visit the home of the applicant. During the visit, facts are gathered concerning the individual's/ family's finances, the degree of disability, the available alternative resources and the assessed needs. The first threshold of eligibility is financial: Individuals must be considered "low-income" to qualify for services, and may have a share-of-cost. The second threshold is "degree of disability". An individual must demonstrate the inability to care for himself or herself. At the end of the assessment, if an individual is deemed eligible for services, a specific number of hours are authorized for different services. These services may include "domestic and related" activities, including grocery shopping, cooking, clean-up and housework. They also may include "personal care" services such as dressing, bathing and bowel-and-bladder care. They may include "protective supervision" services for persons who cannot safely be left alone.

The PA- a separate entity that is housed within DSS's administrative structure- serves as the employer-of-record for the caregivers who actually provide the services. These caregivers may be friends, neighbors or family members; or they may be completely unrelated individuals who apply through the PA to be registered providers available to serve any eligible beneficiary.

The IHSS beneficiary has the ability to hire or terminate individual providers, and is expected to supervise the providers' work performance. Upon completion of the authorized hours, the provider signs a timecard and presents the card to the beneficiary who also signs. That timecard is submitted to the PA for processing, at which point it is submitted electronically to the California Department of Social Services and payment to the provider is made directly from the State.

The United Domestic Workers of America, AFSCME Local 390, AFL-CIO (UDWA) has sole representation rights

for IHSS providers within San Luis Obispo County. The PA employs the services of Liebert Cassidy Whitmore in negotiating labor agreements with the UDWA.

The current Memorandum of Understanding with the UDWA terminated on June 30, 2011. The representative of the Governing Board has been meeting with representatives of UDWA in an attempt to reach agreement on a successor agreement. Adoption of the attached resolution will finalize a two (2) year extension of the Memorandum of Understanding between the Governing Board and the UDWA. The agreement calls for no significant changes, and includes a continuation of the \$10.00 salary level that became effective March 1, 2008.

### **OTHER AGENCY INVOLVEMENT**

The Department has consulted the Administrative Office and with County Counsel in preparing this proposal.

### **FINANCIAL CONSIDERATIONS**

The County is reimbursed for the cost of services under this agreement pursuant to established sharing ratios; the costs of this contract are considered as part of the annual budget process. The combined Federal, State and County costs of IHSS services are projected as follows for each of the two years covered by this proposed MOU:

|             |              |                           |
|-------------|--------------|---------------------------|
| FY 2011-12: | \$21,059,788 | County Share: \$3,685,463 |
| FY 2012-13: | \$21,059,788 | County Share: \$3,685,463 |

### **RESULTS**

Adoption of this Resolution will establish a multi-year labor contract with the United Domestic Workers, continuing existing pay rates to individuals who provide care for disabled residents of our community.

### **ATTACHMENTS**

1. Resolution amending the MOU between PA and UDW
2. Attachment "A"-Amendment no. 1 to IHSS MOU
3. Existing IHSS PA/UDW MOU